

STEVEN G. KALAR
Federal Public Defender
JOHN PAUL REICHMUTH
Assistant Federal Public Defender
555 - 12th Street, Suite 650
Oakland, CA 94607-3627
Telephone: (510) 637-3500
Counsel for Defendant DUARTE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	
)	No. CR 14-296-JST
Plaintiff,)	
)	REVISED STIPULATION TO CONTINUE;
vs.)	PROPOSED ORDER CONTINUING
)	CASE AND EXCLUDING TIME UNDER
EDGARDO DUARTE,)	THE SPEEDY TRIAL ACT
)	
Defendant.)	
)	

IT IS HEREBY STIPULATED, by and between the parties to this action, that the STATUS HEARING date of April 10, 2015 presently scheduled at 2:00 p.m., before the Honorable John S. Tigar, be vacated and re-set for July 24, 2015 at 2:00 p.m. for MOTIONS HEARING. Motions shall be filed by June 12, opposed by July 6, and oppositions replied to by July 10, 2015.

The reason for this request is that this case is ready to proceed to the motions phase. This case is a wiretap case involving 10 search warrants, three wiretap authorization orders, two vehicle stops, pen register records, multiple informants, and significant volumes of audio recordings and transcripts. Based on the complexity, the defense requests 9 weeks to further investigate the case and draft motions. The parties agree and stipulate that the time from April

1 10, 2015 until July 24, 2015 should be excluded, under 18 U.S.C. §3161(7)(A) and (B)(iv),
2 because the ends of justice served by the granting of the continuance outweigh the best interests
3 of the public and the defendant in a speedy and public trial. The continuance is necessary to
4 accommodate both counsels' preparation efforts, to wit: discovery review and motions drafting.
5 Once motions are filed, time will be included on that independent basis.

6 This stipulation applies to Mr. Duarte only. The parties do not anticipate that the other
7 defendants will be seeking a briefing schedule and Motions hearing.

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9 _____ /s/
10 Date 04/09/15 John Paul Reichmuth
11 Assistant Federal Public Defender
12 Counsel for defendant DUARTE

13 _____ /s/
14 Date 04/09/15 Chinhayi Cadet
15 Assistant United States Attorney
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ORDER

The court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial. The continuance is necessary to accommodate both counsels' preparation efforts including the drafting of motions in a case involving voluminous discovery. The court further finds that time will be excluded upon the filing of motions, under 18 U.S.C. §§3161(h)(1)(D).

Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter, as to Mr. Duarte only, be continued to July 24, 2015 at 2:00 p.m. for MOTIONS HEARING, and that time be excluded from April 10, 2015 to July 24, 2015 pursuant to 18 U.S.C. §§3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

April 10, 2015
Date

